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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

UNITED STATES OF AMERICA

V.

CHESTER W. JOHNSON

* CRIMINAL NO.: 05-20224
* 18 U.S.C. § 922(g)(1)
* 18 U.S.C. § 924(d)(1)
*
* JUDGE MINALDI
*
* MAGISTRATE JUDGE WILSON

ORDER

BASED UPON THE FOREGOING Motion:

IT IS HEREBY ORDERED that the defendant's trial currently set for June 5, 2006, be continued indefinitely.

IT IS FURTHER ORDERED that the defendant be transferred from FCI, Fort Worth, Texas to a suitable Medical Referral Center, as designated by the BOP, for an attempt at competency restoration, pursuant to Title 18, United States Code, Section 4241(d).

IT IS FURTHER ORDERED that after four months of treatment at the designated facility, a report of the findings shall be prepared by the director, or his designee, and a copy of said report shall be provided to all parties and the Court. The report shall include the following:

1. The defendant's history and present symptoms,
2. A description of the neuro/psychological and medical test employed and their results,
3. The examiner's findings, and
4. The examiner's opinion as to diagnosis, prognosis and whether the defendant continues to suffer from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature

and consequences of the proceedings against him or to assist properly in his defense.

IT IS FURTHER ORDERED that the interests of justice dictate that a continuance in this matter must be granted, and that the right of the public and the defendant to a speedy trial is outweighed by these interests. A continuance is justified pursuant to the provisions of Title 18, United States Code, Section 3161(h)(4) which provides that any delay resulting from the fact that the defendant is mentally incompetent or unable to stand trial, is excluded from computing the time within which a trial must commence.

IT IS FURTHER ORDERED that the period of delay resulting from this continuance be excluded from the delay prescribed by Title 18, United States Code, Section 3161 for commencement of trial.

THUS DONE AND SIGNED this 22 day of May, 2006, in
Lake Charles, Louisiana.


HONORABLE PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE